

REMARKS

Claims 1-3, 5-7, 9, 13-16, 19 and 25-29 have been amended. Claims 1-29 remain pending in this application. Applicant reserves the right to pursue the original claims and any other claims in this and in other applications.

The specification has been amended pursuant to 37 C.F.R. § 1.78(a)(2). No new matter has been introduced by the amendment to the specification. Applicant believes that a Petition for an Unintentionally Delayed Benefit Claim is not needed. Accordingly, no fee is believed to be owed. If a Petition is necessary, please consider this paper such a Petition, and if a fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 04-1073, under Order No. T7093.0004/P004.

Claims 27 and 28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hartmaier et al. (U.S. Patent No. 5,978,672) ("Hartmaier"). However, the Office Action describes Hartmaier as failing to disclose a telephony interface that routes a call to two wireless destination telephone numbers substantially simultaneous and cites to a second reference, Kugell, to combine with Hartmaier to suggest such a limitation. Accordingly, Applicant will respond to this rejection as if it were made under 35 U.S.C. § 103(a). Claims 1, 2, 5, 8, 10-13, 15-18 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Kugell et al. (U.S. Patent No. 5,802,160) ("Kugell"). The rejections are respectfully traversed.

Applicant respectfully submits that it is improper to combine the references in the manner suggested by the Office Action. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no

suggestion or motivation in any of the references for combining them to arrive at the claimed invention. In fact, Hartmaier and Kugell are two entirely different systems. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex part Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144.

Hartmaier relates to providing a programming interface between applications executing on a private data network and applications executing in a WIN. Kugell relates to a method and system of providing a telephone service comprising associating a list of telephone numbers with a representative telephone number. It would not have been obvious to one of ordinary skill in the art to combine the teachings of the cited prior art to achieve a system for selectively establishing communication with one or more of a plurality of wireless devices serving as a virtual office telephone. In other words, it would not have been obvious to one of ordinary skill in the art to achieve a telephony interface “wherein [a] dialed telephone number and . . . at least one wireless destination telephone number are associated with an enterprise telecommunication network consisting solely of wireless devices,” as recited in claim 1. No such teaching, suggestion, or motivation is found in the cited references.

Claims 26, 27 and 28 recite similar limitations and thus, are believed to be allowable for at least the same reasons mentioned above. Claims 1, 2, 5, 8, 10-13 and 15-18 depend from claim 1 and are allowable along with claim 1. Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

Claims 3, 4, 6, 7 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Kugell, and further in view of Chow et al. (U.S. Patent No. 6,711,401) (“Chow”). The rejection is respectfully traversed.

Claims 3, 4, 6, 7 and 14 depend from claim 1. As such, they each recite a telephony interface “wherein [a] dialed telephone number and . . . at least one wireless destination telephone number are associated with an enterprise telecommunication network consisting solely of wireless devices.” Additionally, as stated by the Office Action, Hartmaier fails to show a telephony interface that routes a call to two wireless destination telephone numbers substantially simultaneous. As set forth above, these features cannot be disclosed or suggested by Hartmaier and Kugell. Applicant respectfully submits that Chow, which has been cited merely for teaching routing a call to a voice mailbox after a predetermined time, does not cure the deficiencies of Hartmaier and Kugell and fails to teach or suggest the claimed invention. Moreover, for at least the reasons set forth above, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine or modify the cited references to achieve the claimed invention. Thus, claims 3, 4, 6, 7 and 14 are allowable over the cited combination.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Cox et al. (U.S. Publication No. 2002/0,013,141) (“Cox”). The rejection is respectfully traversed.

Claim 9 depends from claim 1. As such, claim 9 recites a telephony interface “wherein [a] dialed telephone number and . . . at least one wireless destination telephone number are associated with an enterprise telecommunication network consisting solely of wireless devices.” Additionally, as stated by the Office Action, Hartmaier fails to show a telephony interface that routes a call to two wireless destination telephone numbers substantially simultaneous. As set forth above, these

features cannot be disclosed or suggested by Hartmaier. Applicant respectfully submits that Cox, which has been cited by the Office Action for teaching that the telephony interface prompts a caller of the telephone call with a menu of call destination options and the telephony interface places the call to at least one destination telephone number in accordance with an option selected by the call, does not teach or suggest the deficiencies of Hartmaier. Therefore, Hartmaier and Chow, whether considered alone or in combination, fail to teach or suggest all limitations of claim 9. Accordingly, claim 9 is allowable over the cited combination. Moreover, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine or modify the cited references to achieve the claimed invention.

Claims 19-23, 25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view Karpus et al. (U.S. Patent No. 5,884,191) ("Karpus"). The rejection is respectfully traversed.

Claim 19 recites, *inter alia*, a "telecommunication device comprising a telephony interface coupled to an enterprise telecommunication network." Claim 19 further recites that "[the] enterprise telecommunication network consists solely of wireless communication devices." Claim 29 recites a method of providing access to an enterprise telecommunication network from a wireless telephone "wherein the enterprise telecommunication network consists solely of wireless devices." Applicant respectfully submits that the cited combination fails to disclose or suggest the inventions of claims 19 and 29.

Hartmaier fails to disclose or suggest an enterprise telecommunication network that consists solely of wireless devices. Karpus fails to cure the deficiencies of Hartmaier.

Karpus by contrast discloses an interface system that connects various devices to a radio telephone and provides arbitration between conflicting requests for access to the audio channel of the telephone. Karpus uses grant lines to communicate that access to the audio channel is available. Karpus is essentially an arbitration switch between devices and would not be used in the Hartmaier system, and thus Applicant believes Karpus to be not relevant to the technology of the claimed invention. Even if relevant, Karpus in no way relates to, disclose or suggest “[an] enterprise telecommunication network [that] consists solely of wireless communication devices,” as recited in claim 19. Therefore, Hartmaier and Karpus, whether considered alone or in combination, fail to teach or suggest all limitations of claims 19 and 29.

Moreover, Applicant also respectfully submits that it is improper to combine the references in the manner suggested by the Office Action. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no suggestion or motivation in any of the references for combining them to arrive at the claimed invention. In fact, Hartmaier and Karpus are two entirely different systems. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex part Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144. This is another reason why the rejection should be withdrawn.

Accordingly, claims 19 and 29 are allowable over the cited combination. Claim 20-23 and 25 depend from claim 19 and are allowable along with claim 19. For at least the reasons set forth above, the rejection should be withdrawn and claims 19, 20-23, 25 and 29 allowed.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus, and further in view of Schwab et al. (U.S. Patent No. 6,597,781) ("Schwab"). The rejection is respectfully traversed.

Claim 21 depends from claim 19 and is allowable along with claim 19 because neither Hartmaier, Karpus, nor Schwab, cited merely for the teaching of a dial tone timeout period, discloses, teaches or suggests "[an] enterprise telecommunication network [that] consists solely of wireless communication devices." Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 21 allowed.

Claim 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus and Chow. The rejection is respectfully traversed.

Claim 24 depends from claim 19 and is allowable along with claim 19 because neither Hartmaier nor Karpus, nor Chow teaches or suggests "[an] enterprise telecommunication network [that] consists solely of wireless communication devices." Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 24 allowed.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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